

Settlers Walk Homeowners Association

ENVIRONMENTAL PROTECTION BOARD (EPB)

**Rules and Regulations of the
Single Family Homes and Common Areas
Of The Settlers Walk Homeowners Association
As Adopted the 30th Day of March 2011.**

SETTLERS WALK/SWHOA
Policy Resolution #1 – Rules and Regulations
Index
Adopted March 2011

I. 3
Function of Policy Resolution #1 3

II. 3
Private Property Guidelines 3

 A. 3
 General requirements for all living units 3

 B. 14
 Specific requirements applicable to single-family houses 14

III. Common Area Guidelines 15

 A. Storage of private property 15

 B. Vehicles & vehicular storage 15

 C. Alteration of land 16

 D. Alteration, removal or addition of plants, trees or shrubbery 16

 E. Use of the Common Area 16

IV. Administrative Procedures 18

 A. Settlers Walk Homeowners Association..... 18

 B. “Request for Approval to Make Exterior Alterations” guidelines 18

 C. Enforcement procedures for violations of Policy Resolution #1 and of the Declaration of
 Covenants, Conditions and Restrictions 20

V. Implementation 21

SETTLERS WALK HOMEOWNERS ASSOCIATION

POLICY RESOLUTION #1

RULES AND REGULATIONS

**Of Settlers Walk located
In Franklin Park, Pennsylvania**

A resolution pertaining to the following provisions.

WHEREAS, Article V of the Settlers Walk Homeowners Association ("SWHOA") Declaration of Covenants, Conditions and Restrictions establishes certain rules and regulations for protecting the aesthetic beauty, safety, and well-being of the community; and,

WHEREAS, there is a need for the Board of Directors to establish guidelines and procedures with regard to maintenance of the Common Area execution of the residential rules and regulations; and,

WHEREAS, there is a need for the Board of Directors to establish guidelines and procedures for Homeowners to submit proposals for exterior additions, changes, alterations or improvements to their privately-owned properties; and,

WHEREAS, it is the intent of the Board of Directors to establish proper and equitable guidelines and procedures for the residents from this time forth;

NOW, THEREFORE, BE IT RESOLVED THAT guidelines and procedures pertaining to rules and regulations be and hereby are adopted as follows:

I. Function of Policy Resolution #1

The function of Policy Resolution #1 is to provide standards and guidelines for the residents and the SWHOA to follow in,

- Protecting the architectural and aesthetic integrity of the community,
- Protecting the safety and well-being of the community, and
- Maintaining this integrity, safety and well being throughout the life of the community, thereby preserving home and property values and the homeowners' investments.

The following sections explain the criteria used by the SWHOA in determining rule and regulation violations and in considering "Request For Approval To Make Exterior Alterations" proposals. Also included are the enforcement and appeals procedures. Failure to abide by any of the below sections may result in a violation of this policy resolution.

Residents should refer to the Declaration of Covenants, Conditions and Restrictions ("Declaration") for additional terms and guidelines binding on all parties having any right, title or interest in the planned residential development of Settlers Walk. In the case of any conflict between the Declaration and this policy resolution, the Declaration controls.

II. Property Guidelines for All Units (Single Family Dwellings)

- A. General requirements for all living units
 - 1. Overall appearance
 - a. The overall appearance of each residence must be kept in a neat and orderly manner. If the appearance of any residence becomes such that it is not in harmony with the rest of the community or does not meet the architectural integrity of the community and its residents, the SWHOA may direct the owner to correct the condition, at the owner's expense, to the SWHOA's satisfaction, in accordance with Section IV, Administrative Procedures, of this policy resolution.
 - b. The Declaration of Covenants, Conditions and Restrictions, which states no noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereof which may become a nuisance to the neighbors, is hereby incorporated as if written in full herein.
 - 2. Permanent additions, changes, alterations or improvements to private property
 - a. Materials and colors
 - i. Only exterior materials comparable to existing materials on the unit, or those compatible with the architectural design and character of the community.
 - ii. Colors must be compatible with surrounding colors and generally compatible with the architectural design character of the community.
 - iii. Any changes in material or color on any residence must be submitted to the SWHOA for its prior approval.
 - iv. Unpainted and unstained surfaces, such as brick, shall remain unpainted and unstained.
 - b. Size and shape: Additions and alterations to units and other additions, alterations, items or objects shall be of a size and shape consistent with their intended use (not outsized with relation to the unit with which they are associated), generally compatible in size and shape with similar items, and compatible with the architectural design character of the community.

- c. Location
 - i. The location of any proposed improvement shall be such that it shall be in harmonious architectural balance with the associated unit and the surrounding community.
 - ii. In no case shall any fence, screen, bright flood lighting or other object obstruct the sight lines of any vehicle driver.
 - iii. The location of any proposed improvement shall be limited to the property of the owner requesting approval, and shall not violate any easement restrictions, public or private. The SWHOA may request copies of surveys to verify the proposed improvement meets this criterion.
- d. Safety
 - i. All requests for review shall be scrutinized for safety regarding intended use and location. Safety of construction materials and methods shall not be scrutinized since they are the responsibility of the resident and/or contractor(s).
 - ii. Requests that are otherwise suitable for installation, but which the SWHOA determines to be unsafe with respect to intended use and location would not be approved.
- e. Building and Work Permits
 - i. Approval of any project by the SWHOA does not waive the necessity of obtaining the required borough or county building, grading, occupancy or work permits. **NOTE: Obtaining the proper permits does not waive the requirement for SWHOA approval before starting work.**
 - ii. The SWHOA will not knowingly approve a request that is in violation of applicable building codes, zoning ordinances or other regulations.
- f. Central air-conditioning, compressors, window air-conditioning units and utility meters
 - i. Compressors or utility meters may not be painted a color other than existing color associated with the unit without prior approval of the SWHOA and/or the appropriate utility.
 - ii. Window air-conditioning units and window fans, whether such units are permanently installed or removable, are limited to the rear of the unit. All other types or locations of air-conditioning units require approval of the SWHOA.
- g. Driveways
 - i. Driveway paving does not require approval of the SWHOA provided that paving materials are of a natural color concrete or asphalt.
 - ii. The use of paving brick or cobblestone will not be permitted without prior approval of the SWHOA.
 - iii. Artificially colored paving materials will not be permitted without prior approval of the SWHOA.
 - iv. Changes in grade, location or size of the existing driveway must be submitted for prior approval of the SWHOA.
- h. Landscaping
 - i. Additions or alterations
 - 1. Trees and shrubs on private property are the responsibility of the homeowner. Removal and replacement of deceased trees are the responsibility of the homeowner. Deceased trees located at the front of a lot must be replaced with a tree of comparable size and type during the next available planting season. No trees of a diameter of six (6) inches or more (measured from a point two feet above the ground

level) shall be removed from any lot, except in an emergency, without the express written authorization of the SWHOA, or unless properly authorized by an appropriate governmental authority. The SWHOA, at its discretion, may adopt and promulgate rules and regulations regarding the preservation of trees and other natural resources and wildlife upon the properties. If it shall deem it appropriate, the SWHOA may mark certain trees, regardless of size, as not removable without written authorization.

2. A minimum of 2 (Two) street trees must be placed in front of the home per Franklin Park Borough Ordinance. Homes that intersect two streets or are placed on corner lots may require placement of more street trees.
 3. Alterations of grades on projects undertaken on private property require approval of the SWHOA and shall be constructed such that drainage patterns on the Common Area and other homeowners' properties are not altered significantly. The SWHOA shall have the right to require that the stamp of a registered engineer be affixed to the request and plans submitted by a resident for approval. Additionally, the SWHOA may require a copy of the approved Storm Water Management permit (if required by ordinance).
- ii. Maintenance: All residents of single-family houses are responsible for weeding and maintenance of shrubs and planted areas, including mulched or gravel beds, on their private property. The Board of Directors or the SWHOA shall have the specific remedial measure available for this specific violation to enter upon land and have these areas maintained at the owner's expense; provided however, the resident is given one (1) week to cure the matter. Consideration will be given to weather conditions.
 - iii. Dangerous or unattractive conditions: The Board of Directors and the SWHOA shall have the specific remedial measure available for this specific violation to enter upon any lot and trim, prune or remove at the expense of the owner, any hedge or other planting which, in the opinion of the Board of Directors or the SWHOA, by reason of its location upon the lot or the size to which it is permitted to grow, is unreasonably detrimental to the adjoining property, obscures the view of vehicular or pedestrian traffic, or is unattractive in appearance, provided, however, the owner is given fifteen (15) days prior written notice to cure the problem.
 - iv. Vegetable gardens should be limited to the rear of the units and not visible from the street.
 - v. Edging: SWHOA recommends natural plant edging by trench digging and then heavy mulching such as at our entrance. If a resident chooses to use other edging material, coordination with the rest of the building is encouraged. Plant bed edging does not require SWHOA approval provided it is solid, four inches or less in height from the ground, of complimentary color that is complimentary to the home and one of the following:
 1. Scalloped cement or stone;
 2. Wood-cedar or landscaping timbers;
 3. Subterranean black plastic with rolled edge.
 4. Low profile plastic block*****ALL OTHERS REQUIRE SWHOA APPROVAL**

- i. Exterior lighting: Exterior lighting must be harmonious with the community and shall not create a nuisance for other neighbors.
 - a) No exterior lighting shall be directed outside the boundaries of a lot.
 - j. Other additions, changes, improvements and alterations: All other additions, changes, improvements and alterations to the exterior of any unit or to any lot shall be submitted for prior approval of the SWHOA which shall review them in accordance with criteria established in Section IV herein.
 - k. "Request For Approval To Make Exterior Alterations": Failure to submit a "Request For Approval To Make Exterior Alterations" form for any project requiring prior approval is in itself a violation of Policy Resolution #1 even if the intended improvement conforms to the Declaration of Covenants, Conditions, and Restrictions, the Bylaws and SWHOA Policy Resolution #1.
3. Lawn & garden furniture and outdoor equipment
- a. Lawn mowers, portable barbecue grills, lawn furniture and other similar items shall be inconspicuously stored when not in use.
 - b. Standard hose racks may be permanently attached to the unit in an inconspicuous location. Temporary hose reels are also permitted. Hoses and temporary hose reels, however, are to be stored inside during the off season.
4. Storage of garbage, garbage pickup & garbage containers
- a. Garbage containers must be stored indoors, or out of view from the road and neighbors.
 - b. Garbage containers may be placed in front of the residence at dusk the day before collection and also on the day of collection, and must be removed from the front of the residence following collection by the end of the collection day.
 - c. Trash, garbage, or other waste shall not be kept except in sanitary containers. All containers or other equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition. Large items for trash pickup such as old appliances, carpeting, furniture, etc., shall be kept out of sight until the assigned trash collection day.
5. Outdoor storage or accumulation of items: No lumber, bulk materials, refuse (including old newspapers, trash, appliances, machinery or other materials) shall be kept, stored or allowed to accumulate on any lot, except building materials during the course of construction of any approved structure.
6. Play equipment
- a. Permanent play equipment is defined as any play equipment that customarily remains outdoors at all times, whether in use or not.
 - b. Non-permanent play equipment is all play equipment that is capable of being taken indoors or is usually stored indoors when not in use.
 - c. When not in use, all non-permanent play equipment must be stored indoors, or out of view from the road, and inconspicuously if in view from neighbors.
7. Firewood: Firewood and kindling shall be stored inconspicuously and must be kept neat and clean such as that it does not attract pests such as insects or rodents. All wood is to be stored inconspicuously at the back of the home.

8. Seasonal decorations: Seasonal decorations for generally recognized events or holidays shall be put up and taken down within fifteen (15) days prior to and after the event or holiday. Seasonal decorations are not to be stored outside in public view.
9. Signs: All signs placed within the Settlers Walk boundaries shall meet with the current Franklin Park Borough sign ordinance requirements as well as the following requirement:
 - a. Signs of any kind displayed to the public view on any lot may not be more than six (6) square feet and must be removed within 7 days of completion of a project or event.
 - b. After a lot or unit has been sold or rented, signs advertising that the lot or unit has been sold or rented are to be removed within seven (7) business days.
 - c. No more than one sign is permitted on a lot at a time.
10. Vehicles and vehicular storage
 - a. In general, all vehicles stored or parked in view from the road or a neighbor, whether on a lot or in a public parking area, shall be whole, in sound condition and fully operable, including a current inspection sticker.
 - a) Vehicles are to be parked in a driveway or garage at all times. Vehicles are not permitted to be parked on lawns or blocking the public sidewalks.
 - b. No motor home, travel trailer, boat, boat trailer, horse trailer, or any similar item shall be parked on any private lot if the item is in view from the road or in view from a neighbor. A limited exception will be made for these items if they are in route to or in route from storage for the season, vacation of the owner or other similar circumstance. In such case, the resident is to notify SWHOA management company the date at which the item arrived and the date the item will be taken away. The time period for this exception is limited to one (1) day at any given time.
 - c. The Board of Directors or the SWHOA shall have the specific remedial measure available for this specific violation to enter the resident's property and tow, and subsequently impound, at the owner's expense any item described in (a) or (b) above, provided the Board of Directors or the SWHOA has given the resident one (1) week's written notice that the resident must cure the violation by removing the item or it will be towed at the resident's expense.
11. Pets
 - a. Pets of any nature must be leashed properly at all times when outdoors. Leashes may not exceed more than six (6) feet in length. A pet need not be leashed if the pet remains on the pet owner's private property, or on other private property which the pet owner has permission to allow his or her pet to enter. The pet must be under control at all times.
 - b. Dog or other pet houses of any kind are prohibited outside.
 - c. Pets may not be tied on private property so that their chains or leashes allow them to enter the Common Area.
 - d. Pets may not be left unattended for an extended period of time, nor may they be permitted to create a nuisance or unreasonable disturbance of noise.
 - e. Owners must clean up the excrement of their pet(s) and dispose of properly. Owners are to immediately remove the excrement from common or private property while walking their pet(s).
 - f. Pets are not permitted to enter the private lot of another resident without that resident's permission.
12. Antennae and satellite dishes
 - a. 18 inch diameter maximum

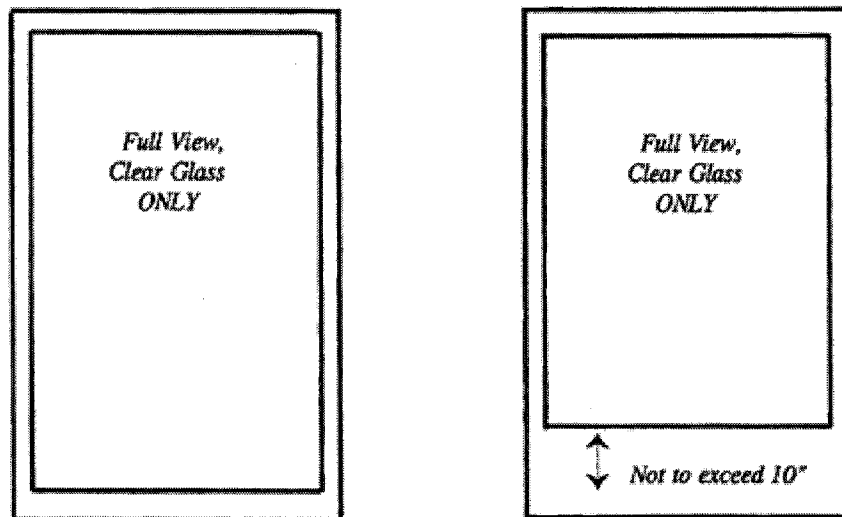
- b. Upon approval by the Architectural Review Board and/or signed approval from affected neighbors, antennae and dishes must be installed in a location inconspicuous from the public eye.
 - a) Preferred placement is low on rear roof and the color must blend with roof.
 - b) If rear roof is not a possibility, antennae and dishes should be located on the ground-front, back or side of building. They must be placed within a mulched bed area contiguous to the building and concealed with plant material or camouflaged rock. Regardless of approval by affected neighbors, landscaping must be installed to mask placement of the antennae or dish.
- c. All wiring must be done internally or it must be concealed for both antennae and dishes.
- d. 1 bush or shrub must be placed in front of a dish that is low to the ground and visible from the street.

13. Radon Mitigation Systems

- a. A "Request For Approval To Make Exterior Alterations" form must be submitted prior to installation of a Radon Mitigation System.
- b. The vent pipe extending towards the roof must be made of DOWNSPOUT material and of a color to match siding or downspouts.
- c. The exterior apparatus must be placed as close as possible to the middle of the side or at any location at the rear of a single family home.
- d. The exterior fan is to be placed as close to the ground as possible and the fan shall be the same color as the vent pipe.

14. Storm or Screen Doors

- a. Only full view storm and screen doors which match the original color combination of the home are permitted. No more than a 10" kick plate trim will be permitted at the bottom of the door (as illustrated in Addendum A below).
- b. Glass must be clear. It cannot be smoked, colored, stained or frosted.
- c. Screen ventilation is recommended in the door for the exchange of air, thereby reducing heat build-up that could void the warranty on your home's door.
- d. All storm and screen doors shall be submitted to SWHOA for approval prior to installation along with a brochure or sketch of the door showing its design and color.



Addendum

- B. Specific requirements applicable to single-family houses
 - 1. Homeowners are responsible for all replacements and repairs on their homes. For any changes in color or style they must submit a "Request for Approval to Make Exterior Alterations" form.
 - 2. Decks, Patios & patio coverings
 - a. A deck/patio built within one (1) foot of the ground at its highest point does not require approval of the SWHOA provided that:
 - i. Existing drainage patterns are not disturbed;
 - ii. Utility lines or pipes are not disturbed;
 - iii. Materials are in harmony with the design and color of the unit;
 - iv. They are constructed to the rear of the unit.
 - b. Decks/Patios requiring changes in existing grade, drainage patterns or retaining walls must be submitted for prior SWHOA approval.
 - c. All roof coverings for patios require prior SWHOA approval.
 - d. All other decks/patios or changes to existing structures that are not addressed in (a) through (c) require prior SWHOA approval.
 - 3. Fencing and privacy or decorative screens
 - a. Fencing and privacy or decorative screening other than that provided with the unit must be submitted for prior SWHOA Approval.
 - b. If the fencing has only one finished side, that side must be placed on the "outside" facing neighboring residences.
 - c. Fencing and screening must be finished materials on both sides when both sides are within public view.
 - d. Fencing will be limited to wood or vinyl only.
 - e. Vermin fencing around vegetable and flower gardens is permitted during the growing season only but must be placed inconspicuously or hidden from street view so as not to present an eyesore.
 - f. Vegetable gardens should be limited to the rear of the units and not visible from the street.
 - g. Maximum fence height is 4 feet. However, "health and safety" exemptions may be granted around the rear of a unit for fence height up to 6 feet as long as:
 - i. All adjoining neighbors approve of the exception.
 - ii. Adequate justification is provided to the SWHOA.
 - iii. Specific permission is granted by vote of the SWHOA Board of Directors.
 - 4. Landscaping
 - a. Additions or alterations
 - i. Minor landscaping work and planting, including vegetable gardens and flower gardens, do not require SWHOA approval provided that:
 - a.) Planting materials are accepted types and in character with the community;
 - b.) They do not obstruct sight lines of vehicle drivers;
 - c.) Vegetable gardens should be limited to the rear of the units and not visible from the street.
 - d.) The removal of any tree more than 6 inches in diameter at a point 2 feet above ground level requires SWHOA approval.
 - b. Maintenance: The Board of Directors and the SWHOA shall have the right to enter upon any lot to cut, at the expense of the owner, grass which has been left unattended and allowed to gain a height of six (6) inches or more, provided

however, the owner has been given five (5) days prior written notice to correct the problem. Consideration will be made for weather conditions.

5. Play equipment
 - a. All permanent play equipment (as defined in Section II.A.6) must be maintained and is subject to inspection by the SWHOA. This includes basketball standards (poles), backboards and hoops that can be viewed from the street. (e.g., Poles must be free from rust and chipped paint, backboards must be whole and in sound condition.)
 - b. Wading pools for small children, sandboxes, and temporary sporting equipment are permitted without SWHOA approval provided they are stored inside when not in use.
6. Outbuildings and storage sheds
 - a. Storage sheds, maintenance, and other outbuildings may not be erected without approval of the SWHOA.
 - b. Approval of any outbuildings and storage sheds by the SWHOA does not waive the necessity of obtaining the required township or county permits, which is the responsibility of the homeowner.
7. Mailboxes, newspaper boxes, and lamp posts: All mailboxes, newspaper boxes, and lamp posts must be properly maintained in an upright position. Mailboxes, newspaper boxes and lamp posts will be of a size and style approved by SWHOA for use throughout the community.
8. Lamp posts: Due to the lack of street lighting in the community, the lamp post at each property shall be maintained in good working order such that it is lighted between the hours of dusk to dawn. The light shall be white in color except if it is part of a decoration for a generally recognized holiday, in which case the white light shall be restored within 15 days of the completion of the holiday.
9. Pools: All pools, except for wading pools (temporary plastic pools of less than 12" in depth that are drained when not in use) require approval of the SWHOA.
10. Snow removal: It is the residents' responsibility to remove or have removed snow and ice from their property's sidewalk within 24 hours from the start of a snowfall of more than 2 inches (or a total accumulation of more than 2 inches).

III. Common Area Guidelines

A. Storage of private property

1. Private property installed or stored on the Common Area by any individual without express written consent of the SWHOA or Board of Directors is strictly prohibited.

B. Vehicles & vehicular storage

1. No extended or overnight parking permitted in designated common area parking without the express written consent of the Management Company.
2. No motor home, travel trailer, boat, boat trailer, horse trailer, or any similar item shall be parked on any public parking area or in the Common Area without the express written consent of the Management Company. Under no circumstances shall such an item be parked in any Common Area not designated for public parking.
The Board of Directors or the SWHOA shall have the specific remedial measure available for the specific violation of parking such an item in a public parking area or the Common Area. Refer to Enforcement Procedures Section IV.C.
3. Any vehicle or other item as described in B.2 above that is parked or stored in the Common

Area will be in violation of this policy resolution.

4. No motor driven vehicle, except maintenance equipment, is permitted to be operated on SWHOA property, without prior written consent and, only then if the driver is properly licensed and the vehicle is operated in compliance with the Pennsylvania State Motor Vehicle Codes.

C. Alteration of land

1. Alterations of the Common Area by any individual without express written consent of the SWHOA or Board of Directors is strictly prohibited.

D. Alteration, removal or additions of plants, trees or shrubbery

1. Alteration, removal or additions of plants trees or shrubbery from a common area by any individual without express written consent of the SWHOA or Board of Directors is strictly prohibited.
2. Residential units adjacent to or bordering common areas are not permitted to expand their yard by cutting grass, removing or planting trees, bushes, etc. on common ground.
3. No resident shall dispose of any yard material or other waste on common ground. This includes but is not limited to grass clippings, tree limbs, discarded building materials, etc.
4. Alteration of the Common Area by any individual without express written consent of the SWHOA or Board of Directors is strictly prohibited.

E. Use of the Park Common Area

1. Use of Common Areas: The picnic pavilions and recreation facilities (multi-purpose field, volley ball court, tennis courts , basketball courts and other installed recreation facilities) are available for private use by Settlers Walk residents or their authorized guests only. Authorized guests must be accompanied by a Settler Walk resident.
2. Reservations: In order to secure the pavilion or other facility for private use, a resident must be in good standing with SWHOA (i.e., dues paid, no outstanding SWHOA violations, etc.), and the resident must reserve the facility with a Pavilion Rental Form located on the SWHOA website. Any cancellation of advance reservations should occur at least two (2) weeks prior to the reservation date so that any other residents desiring to reserve the pavilion on that date are given ample opportunity to do so.
 - a. Duration and limitation of reservation: All-day reservation is available for the pavilions only. The rest of the picnic shelters and recreation facilities may be used by other SWHOA members and their guests.
 - b. Cooking grills: Cooking grills may be used, but they shall not be left unattended. No coals or ashes shall be left behind, dumped in the creek or woods, nor shall they be buried. Coals and ashes shall be discarded in the approved ash container provided.
 - c. Trash: All trash shall be taken from the area after use and disposed of properly. Dumping of any trash in the wooded areas, stream, or detention pond is strictly prohibited.
 - d. Clean up: The pavilion floor shall be swept clean, and all tables shall be wiped clean. All spills on tables and floors shall be cleaned up.
 - e. Damage: Since any damage done to the Common Area by a resident's party is his/her responsibility and he/she will be held liable (see Item #6 below), it is recommended that the resident inspect the pavilion for any damage prior to the event and report any preexisting damage to the Management Company. Failure to report any preexisting damage may result in the resident being held responsible for the damage.

- f. If you are given the key to access the power box, the power must be turned off and the box locked at the completion of the event. The key must be returned to the Management Company within 48 hours of the completion of the event.
 - g. There is a \$25.00 non-refundable rental fee for use of the pavilions.
 - h. Security deposit: A seventy-five (\$75) security deposit must accompany the Pavilion Rental Form. The security deposit will be held until after the resident completes his/her use of the facility, has returned all keys to the power box, returned any Association equipment borrowed, and the facility has been inspected by the Management Company or a board member. If the facility requires cleaning or is damaged, the deposit will be used to contract a cleaning service or otherwise retained. If the facilities are found to be clean and undamaged, the deposit will be returned within thirty (30) days.
 - i. Penalties: Failure to comply with all of the above guidelines will result in the forfeiture of the security deposit, being held responsible for all expenses necessary to remedy any damage that was caused to the facility and may result in the revocation of the privilege of using these facilities. The resident may also be deemed to not be in good standing with SWHOA resulting in the forfeiture of rights to use any SWHOA Common Area or to participate in any Settlers Walk activities.
3. Guests: Guests may accompany Settlers Walk residents when using the Common Area; however, no guest may use the Common Area without a Settlers Walk resident present.
 4. Noise: Noise shall be kept to a reasonable level. Loud music is not permitted. Quiet hours are in effect at all common areas from 9PM to 8AM unless specific permission is granted by SWHOA.
 5. Signs: All signs in the Common Area shall be strictly obeyed.
 6. Camping: Camping on the Common Area is prohibited without prior consent of the Board of Directors or SWHOA. The Board of Directors or SWHOA shall have the right to require a security deposit as specified in Item 1.g above. The Board of Directors or SWHOA shall designate, on a case-by-case basis, the specific Common Area on which camping may be permitted.
 7. Damage to the Common Area
 - a. Residents are responsible for repairing any damage to the Common Area caused by their use, the use of their guests, the use of their pet(s), or caused by movement of materials and equipment through the Common Area by residents or resident's guests.
 - b. Residents or residents who have guests that destroy or alter the Common Area as defined in Section III.C or III.D are responsible to SWHOA for the costs of restoring that Common Area to its original condition.
 8. Specific areas of use
 - a. Access road: The access road may be used by permit only, unless there is an emergency. The access road is to be used at your own risk. The entrance posts must be reinstalled after passing through them. Speed limit is 10 mph.
 - b. Parking: Daytime parking is only permitted in the designated lot.
 - c. Fires: State and/or township regulations governing fires shall be strictly obeyed and enforced.
 - d. Parties on common grounds after dark are not permitted without SWHOA or Board approval.

IV. Administrative Procedures

A. SWHOA

1. Meetings: All SWHOA "Request for Approval to Make Exterior Alterations" forms will be reviewed on a monthly basis by either an SWHOA committee or the board of directors at their next scheduled meeting. Meeting dates and times will be posted on the SWHOA website or may be obtained by calling the property Management Company. Residents are encouraged to submit any "Request for Approval to Make Exterior Alterations" forms at least one week prior to the next committee or board meeting to ensure your request is reviewed. Failure to adhere to this advanced notification procedure could result in your request being held over for review until the next scheduled meeting. **UNLESS IT IS CONSIDERED TO BE AN EMERGENCY SITUATION, "REQUEST FOR APPROVAL TO MAKE EXTERIOR ALTERATIONS" FORMS WILL ONLY BE REVIEWED AT REGULARLY SCHEDULED MEETINGS.**
2. Subcommittees: The SWHOA may form special subcommittees. Subcommittees and their duties and responsibilities will be established by the board of directors.
 - a. Submission of minutes: All subcommittees will submit meeting minutes to the SWHOA, and the SWHOA will submit a monthly report of its activities, including activities of its subcommittees, to the Board of Directors at least three (3) days prior to the next scheduled Board of Directors meeting. Copies of the SWHOA monthly report shall be given to each subcommittee chairperson.
 - b. A member or members of the Board of Directors may elect to attend each Subcommittee meeting.
3. Newsletter publication: The Management Company will prepare and post quarterly newsletters on the SWHOA website.
4. References: All references to action by the SWHOA Chairperson shall mean action by any person appointed by the Board of Directors to fulfill the responsibilities described herein.

B. "Request For Approval To Make Exterior Alterations" guidelines

1. Application procedures

- a. Each homeowner will submit to the SWHOA a written proposal for exterior additions, changes, alterations, or improvements to the property using the "Request for Approval to Make Exterior Alterations" form. This form can be obtained from the SWHOA web site, any committee member of the SWHOA or from a member of the Board of Directors. The proposal will contain a description of the project, including the height, width, length, size, shape, color and location of the proposed improvements. Photographs or sketches of similar completed projects will aid in the SWHOA's consideration process. If the alteration affects the existing drainage pattern, the proposed drainage pattern must be included.
- b. Oral requests or approvals will not be considered or given. Each request must be specifically approved in writing by the SWHOA, even though the intended improvement conforms to the Declaration of Covenants, Conditions, Bylaws, and Rules and Regulations Resolution #1.
- c. **No work shall be started on any project until the resident has received approval for the "Request for Approval to Make Exterior Alterations" form by the SWHOA.**
- d. Processing the "Request For Approval To Make Exterior Alterations" form

- i. **"Request For Approval To Make Exterior Alterations"** forms shall be mailed, e-mailed or delivered to the Management Company business address.
 - ii. The Management Company will stamp the date of receipt on the **"Request For Approval To Make Exterior Alterations"** form. This date shall be deemed the date received by the SWHOA and shall constitute the beginning of the thirty (30) day review period.
 - iii. After reviewing the applications the SWHOA will recommend one of the following:
 - a.) Approval.
 - b.) Disapproval based on:
 - i.) Insufficient information, or
 - ii.) Merit (Note: The SWHOA must provide the applicant with specific reasons for disapproval. A written report on any such disapproval shall be provided to the Board of Directors within thirty (30) days of the determination.)
 - iv. SWHOA Approval
 - a) Approval letter sent: The SWHOA will either approve or disapprove the application and will send an appropriate letter to the applicant by way of the Management Company.
 - b) Co-signatures are required: The SWHOA requires the signatures of the adjoining property owners on "Request for Approval to Make Exterior Alterations" forms.
 - c) Approvals are valid for one (1) year: All approved requests are valid for one (1) calendar year from the date of the authorized SWHOA approval.
 - v. If a proposal is rejected, the applicant may request reconsideration and is encouraged to present new or additional information which might clarify the request or demonstrate its acceptability. Final appeal may be made to the Board of Directors. (See 2.b below)
 - vi. The Management Company shall keep records of all "Request For Approval To Make Exterior Alterations" forms noting the time of receipt, the unit number, the nature of the request, the date and action of the SWHOA, and the date the answer was communicated to the party making the request.
2. Appeals procedure for disapproved "Request For Approval To Make Exterior Alterations" proposals
- a. Appeals must be mailed, e-mailed or delivered to the Management Company business address within five (5) business days from the FIRST violation notice. A hearing will be scheduled for the next Board of Directors meeting. The Board of Directors may choose to hold the hearing at a special meeting to be held within seven (7) business days of the regularly scheduled Board of Directors meeting.
 - b. The applicable Subcommittee Chairperson and the applicant should be present at the appeal hearing. If any of these people cannot attend the hearing, the Board of Directors may elect to continue the hearing at its next regularly scheduled Board of Directors meeting or at a duly called special meeting.
 - c. Within thirty one (31) days of the conclusion of said hearing, the Management Company shall notify, in writing, the applicant as to the Board of Directors' decision.

- C. Enforcement procedures for violations of Policy Resolution #1, the Bylaws and of the Declaration of Covenants, Conditions and Restrictions
1. Inspection: The SWHOA shall be responsible for seeing that the Management Company inspects the individual units for possible violations of the SWHOA standards and for failure of residents to submit a "Request for Approval to Make Exterior Alterations" form.
 - a. Inspections may be made from the private property of a resident filing a complaint for violations in the rear of the units. Common ground may be used to view the rear of units as well.
 - b. The Management Company shall be responsible to investigate written complaints received from residents regarding violations.
 - c. The Management Company shall be responsible for conducting inspections of previously cited violations for compliance.
 2. Corresponding fines and remedial measures for violations including non-payment of HOA dues and fines.
 - a. Fine: If not corrected or responded to within seven (7) days, unless otherwise specified, the first violation carries a fine of twenty-five dollars (\$25).
 - b. Fine: If not corrected or responded to within seven (7) days of the first notification, the citation for a second notice of the same violation is an additional fifty dollars (\$50).
 - c. Fine: If not corrected or responded to after seven (7) days of the second notice, the citation for a third notice of the same violation is an additional seventy-five dollars (\$75).
 - d. When the fines reach or exceed one hundred dollars (\$100), the Board of Directors has the authority to use the collection procedures prescribed in the Covenants and By-Laws including filing with the local magistrate and notification of the lien holders of any delinquent property. The Board of Directors may also require that all future HOA dues payments be paid in advance through an escrow account.
 - e. If the Board of Directors determines that the owner will not correct a violation, the Board shall correct such violation, and the cost incurred to remediate shall be added to the fine for the violation. The Board of Directors shall ensure that any violator shall be solely responsible for all costs, including the time of the management company, incurred to correct such a violation.
 3. Notice of violations
 - a. The Management Company shall provide a list of properties in violation at the monthly meeting of the Board of Directors. This report shall also include the status of remediation actions being taken.
 - b. Extensions: An extension for the time to cure may be granted if a resident is unable to cure the violation in the time given due to situations beyond their control. If the resident is unable to correct the violation in the time given for cure, the resident shall, in writing, request an extension of the time to cure. The letter should be sent to the Management Company along with a follow-up phone notification.
 4. Appeals procedure for Notice of Violation and Fines

- a. Appeals to SWHOA decisions must be made in writing and sent to the Management Company. If the owner is not satisfied with the SWHOA response to the appeal, they may appeal in writing to the Board of Directors.

AT THE DISCRETION OF THE BOARD OF DIRECTORS, A LIEN MAY BE PLACED ON A RESIDENTIAL PROPERTY FOR FAILURE TO PAY A FINE AND FOR THE COST INCURRED BY THE BOARD TO CORRECT A VIOLATION THE PROPERTY OWNER REFUSED TO CORRECT.

A CERTIFICATE OF RESALE WILL NOT BE ISSUED IF THERE ARE ANY OUTSTANDING DUES, FINES OR VIOLATIONS.

V. Implementation

This policy resolution becomes effective as of the date written below. The Board of Directors may from time to time amend this policy resolution as deemed necessary. Any such amendment(s) will be appropriately communicated to all Settlers Walk residents.

Nick J. Billarmino 3-30-2011
President, SWHOA Board of Directors Date

[Signature] 3-30-2011
Secretary, SWHOA Board of Directors Date